

REMARKS

Claims 1-13 are pending. Claims 7 and 9 have been withdrawn from consideration by the Examiner for being drawn to a non-elected species. By this Amendment, Claims 1, 3, 5-7 and 10 are amended merely to correct antecedent basis issues therein. As such, Applicants respectfully submit that no new matter is presented herein.

Withdrawal of Final Rejection

Applicants respectfully acknowledge and appreciate the indication in Item 2 of the instant Office Action that Applicants' request in the Response dated January 13, 2006 that the finality of the rejection in the preceding Office Action be reconsidered was persuasive and, therefore, the finality of the previous Office Action has been withdrawn.

Claim Rejection -- 35 U.S.C. §103

Claims 1-6, 8, 10-11 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,934,397 to Schaper in view of U.S. Patent No. 6,314,347 to Kuroda et al. (Kuroda). Applicants respectfully traverse the rejection.

Claim 1 recites a hybrid vehicle including an engine for driving main driving wheels; and a plurality of motors for driving sub driving wheels, ***wherein a speed reduction member is disposed between a sub motor and a main motor***, and wherein at least one motor is selected from the plurality of motors to drive the sub driving wheels according to a driving force required by the vehicle.

The Office Action admits Schaper fails to teach or suggest a speed reduction member.

To remedy or otherwise overcome the admitted deficiency of Schaper, the Office Action states Kuroda teaches, in Figures 1-5, a driving power source unit having motors (4) with a sped reduction gear (6), which is connected to the motor (4). The Office Action then asserts that it would have been obvious to one of ordinary skill in the art to modify the hybrid vehicle taught by Schaper with the motors having the speed reduction gear as taught by Kuroda for the purpose of reducing the speed of the motors.

It is well established in U.S. patent law that in order to establish *prima facie* obviousness, each and every feature recited by a rejected claim must be taught or suggest by the applied art of record. See M.P.E.P. § 2143.03. As explained above, the Office Action admits Schaper fails to teach or suggest a speed reduction member. Therefore, Applicants respectfully submit that it is not possible for Schaper to teach or suggest a speed reduction member disposed between a sub motor and a main motor.

Regarding Kuroda, Applicants agree with the Office Action that Kuroda clearly teaches a speed reduction gear (6). However, Applicants respectfully point out that the speed reduction gear (6) taught by Kuroda is not disposed between any two of the three motors (1, 4 and 10) disclosed therein. See Figure 1 of Kuroda. Rather, Applicants respectfully note the speed reduction gear (6), which is part of the power transmitting mechanism comprised of the continuously variable transmission (CVT) (5), the speed reduction gear (6) and the differential gear (7). As shown in Figure 1, the speed reduction gear (6) taught by Kuroda is disposed between the CVT (5) and the differential gear (7). For Kuroda to address or otherwise overcome the admitted deficiency of Schaper, the speed reduction gear (6) would need to be disposed somewhere between any two of the following three motors, that is, the motor (1) used to

start the engine, the motor (4) used to drive the vehicle, and the motor (10) used to drive the oil pump of the hydraulic device (9). However, as clearly explained above and plainly illustrated in Figure 1 of Kuroda, the speed reduction gear (6) taught therein is disposed between the CVT (5) and the differential gear (7).

Toyoda is cited for teaching a drive unit having an electromagnetic clutch. Applicants respectfully submit Toyoda fails to overcome or otherwise address the deficiencies in Schaper and Kuroda.

As such, Applicants respectfully submit that Schaper, Kuroda and Toyoda, alone or in any combination thereof, fails to teach or suggest each and every feature recited by Claim 1. Therefore, the Office Action has not established prima facie obviousness of Claim 1, and as such, Applicants respectfully submit that Claim 1 should be deemed allowable.

Claims 2-6, 8 and 10-13 depend from Claim 1. It is respectfully submitted that these dependent claims be deemed allowable for the same reasons Claim 1 is allowable, as well as for the additional subject matter recited therein.

Applicants respectfully request withdrawal of the rejections.

Request for Rejoinder

As noted in the Response to Restriction Requirement filed on April 22, 2005, Applicants submit Claim 1 is a generic claim. Upon the allowance of generic Claim 1, Applicants respectfully request reconsideration and rejoinder of non-elected Claims 7 and 9 as provided by 37 C.F.R. §1.141.

Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, rejoinder of Claims 7 and 9, allowance of Claims 1-13, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107355-00087.**

Respectfully submitted,



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